IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR BILAL NAZKI

THE ACTING CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 9271 of 2005

Between:

1 Annadevula Rama Chandra Reddy, S/o. A. Venkata

Rama Reddy, R/o. 24/209, Annadevula Street

Mulapet, Nellore.
2 Annadevula Vijaya Mhan Reddy, S/o. A. Venkata

Rama Reddy, Nellore District.

..... PETITIONERS

AND

1 The District Collector, Nellore District, Nellore.
2 The Revenue Divisional Officer, Nellore, Nellore

District.
3 The Mandal Revenue Officer, T.P. Gudur Mandal,

T.P. Gudur, Nellore District.
4 The Executive Enginer, Nellore Central Division,

P.W.D. Irrigation Ofice, Nellore.
5 The Executive Engineer, Panchayat Raj, Z.P. Office,

Nellore.
6 The Superintending Engineer, A.P. Transco,

Electricity Office, Darga Mitta, Nellore.
7 The Environmental Engineer, Pollution Control

Board, A.K. Nagar, Nellore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the declaring the inaction of the respondents to remove Prawn culture and Fish culture Ponds in an extent of !,000 acres formed by the encroachers in Edur - Kodur Tank situated in T.P. Gudur Mandal Nellore District as illegal, arbitrary and unjust; to declare the inaction of the respondent to remove the earth road formed across the said Tank to the detriment of the petitioners and ayacudars and the benefit of encroachers as illegal, arbitrary and unjust; to declare the inaction of the respondents to remove the curve in the Tank bund in the south side of the above said Tank towards north as illegal, arbitrary and unjust; and to declare the inaction of the respondents to remove the power supply connections and the encroachers in the Tank to their prawn culture and fish culture ponds as illegal, arbitrary and unjust and in violation of Articles 14 and 21 of constitution of India and the provisions of Environment Protection Act, A.P. Revenue Laws and Board Standing Orders, despite number of representations made by the petitioners and ayacutdars, and consequently direct the respondents to remove prawn culture and fish culture ponds laid by the encroachers in the extent of about 1,000 acres in the Edur - Kodur Tank, T.P. Gudur Mandal, Nellore District and also the road laid across the said Tank by the 5th respondent, curve effected to the Tank towards North by the 4th respondent and also the power supply connection granted by the 6th respondent to the encroachers for their prawn culture and fish culture ponds and pass such other orders.

Counsel for the Petitioner:MR.M.VENKATA NARAYANA

Counsel for the Respondent No.1 to 4: GP FOR REVENUE

Counsel for the Respondent No.6:Sri Sreeramulu Reddy

Counsel for the respondent no7: Mr E.Kalyan Ram Standing Counsel

The Court made the following :

O R D E R (Per Hon'ble Mr. Justice Bilal Nazki, HACJ)

The grievance of the petitioners is that tank land has been encroached to an extent of Acs.1,000 – 00 in Edur – Kodur Tank, T.P. Gudur Mandal, Nellore District and some ponds have been created for cultivation of fish and prawn. The petitioners submit further that they have made a representation on 10.10.2004 to District Collector, Nellore, who has not even disposed of the representation.

2. In this view of the matter, after hearing the learned counsel for the parties, we think it appropriate to dispose of the writ petition at this stage directing the District Collector to dispose of the representation made by the petitioners and take appropriate steps, in accordance with law, to remove the encroachments, if any, made.

3 . The representation shall be disposed of within a period of four weeks from the date of receipt of a copy of this order by the Collector, Nellore District.

4. The writ petition is accordingly disposed of. No costs.

BILAL NAZKI, HACJ

G.CHANDRAIAH,J

AVS

DATE:22.06.2005

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Nellore District, Nellore.
2 The Revenue Divisional Officer, Nellore, Nellore

District.
3 The mandal Revenue Officer, T.P. Gudur Mandal,

T.P. Gudur, Nellore District.
4 The Executive Enginer, Nellore Central Division,

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5 The Executive Engineer, Panchayat Raj, Z.P. Office,

Nellore.
6 The Superintending Engineer, A.P. Transco,

Electricity Office, Darga Mitta, Nellore.
7 The Environmental Engineer, Pollution Control

Board, A.K. Nagar, Nellore.

8. 2 CCs to G.P. for Revenue, A.P. High Court Building (OUT).

9) 2 CD copies

*Form-NIC-OGS/WP{**JGK**}*